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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

**IN RE: HIGH-TECH EMPLOYEE  
ANTITRUST LITIGATION**

Master Docket No. 11-CV-2509-LHK

THIS DOCUMENT RELATES TO:

**[PROPOSED] ORDER GRANTING  
DEFENDANTS' JOINT  
ADMINISTRATIVE MOTION TO SEAL  
AS TO INFORMATION DESIGNATED  
CONFIDENTIAL BY PLAINTIFFS**

## ALL ACTIONS

1           On November 12, 2012, Defendants filed an administrative motion for a sealing order  
 2 (Dkt. No. 211) pursuant to Northern District Civil Local Rule 79-5, and lodged under seal certain  
 3 information Plaintiffs designated either “CONFIDENTIAL” or “CONFIDENTIAL –  
 4 ATTORNEYS’ EYES ONLY,” under the Stipulated Protective Order (as modified by the Court)  
 5 (Dkt. No. 107). This information includes portions of: (i) Defendants’ Opposition to Plaintiffs’  
 6 Motion for Class Certification (“Opposition Brief”); (ii) Exhibits 1-6, 9-13 to the Declaration of  
 7 Christina Brown filed in support of Defendants’ Opposition (“Brown Declaration”); (iii) Exhibits  
 8 A-F to the Declaration of Susan J. Welch (“Welch Declaration”); and (v) Defendants’ Motion to  
 9 Strike the Report of Dr. Edward E. Leamer (“Motion to Strike”).

10           On November 19, 2012, Plaintiffs filed the Declaration of Joseph P. Forderer in Support  
 11 of Defendants’ Joint Administrative Motion to Seal as to Information Designated Confidential by  
 12 Plaintiffs.

13           **GOOD CAUSE HAVING BEEN SHOWN, THE COURT HEREBY ORDERS** that  
 14 the following documents and excerpts thereof be filed under seal, and shall remain under seal:

15           **Opposition Brief**

- 16           • Page 8, line 28;
- 17           • Page 9, lines 1-3, 9-10, 11-12;
- 18           • Page 10, lines 6-7;
- 19           • Page 14, lines 3-5;

20           **Exhibit 2 to the Brown Declaration**

- 21           • Page 97, lines 22-24;
- 22           • Page 98, lines 24-25;
- 23           • Page 132, lines 24-25;
- 24           • Page 135, lines 20-25;
- 25           • Page 136, lines 1-12;
- 26           • Page 137, lines 21, 23-24;
- 27           • Page 142, lines 2-3;

1      Exhibit 3 to the Brown Declaration

- 2            • Page 125, lines 16-17;  
3            • Page 126, lines 11-12;  
4            • Page 197, lines 1-2, 7;

5      Exhibit 4 to the Brown Declaration

- 6            • Page 80, lines 1-25;  
7            • Page 81, lines 1-25;  
8            • Page 82, lines 1-23;  
9            • Page 87, lines 8-9, 13, 21-22;  
10          • Page 88, lines 2-7, 13-15;  
11          • Page 90, lines 7-25;  
12          • Page 91, lines 1-25;  
13          • Page 125, lines 22-23;  
14          • Page 138, lines 1-2, 11-12;  
15          • Page 175, lines 22-25;

16     Exhibit 5 to the Brown Declaration

- 17          • Page 138, lines 3-6;  
18          • Page 155, lines 9-25;  
19          • Page 156, lines 1-25;  
20          • Page 157, lines 1-25;  
21          • Page 182, lines 3, 16-25;  
22          • Page 183, lines 1-25;  
23          • Page 184, lines 1-25;  
24          • Page 202, lines 1-25;  
25          • Page 203, lines 1-25;  
26          • Page 204, lines 1-5, 12-25;  
27          • Page 337, lines 4-8;

1      Exhibit 6 to the Brown Declaration

- 2      • Page 105, lines 1-25;  
3      • Page 106, lines 24-25;  
4      • Page 107, lines 1-25;  
5      • Page 108, lines 1-25;  
6      • Page 113, lines 1-25;  
7      • Page 220, line 25;

8      Exhibit 9 to the Brown Declaration

- 9      • Page 5, lines 10, 14, 19-20, 25;  
10     • Page 6, lines 1, 5-6, 10-12, 17-19, 24-25, 27-28;  
11     • Page 7, lines 1, 6, 10, 14-15, 20, 27-28;  
12     • Page 8, lines 8-9, 12-13;  
13     • Page 9, lines 14-16;

14     Exhibit 10 to the Brown Declaration

- 15     • Page 5, lines 10, 15-16, 20, 25;  
16     • Page 6, lines 19-22;  
17     • Page 7, lines 1, 18-20;  
18     • Page 8, lines 9-18;  
19     • Page 9, lines 3-6;

20     Exhibit 11 to the Brown Declaration

- 21     • Page 5, lines 13-15, 19, 25-26;  
22     • Page 6, lines 4-6, 25-28;  
23     • Page 7, lines 1-5;

24     Exhibit 12 to the Brown Declaration

- 25     • Page 5, lines 16, 21, 26;  
26     • Page 6, lines 8-9, 14, 17, 21;  
27     • Page 7, lines 5, 9, 14-15, 20-23, 26-27;  
28     • Page 9, lines 2-3;

### Exhibit 13 to the Brown Declaration

- Page 5, lines 10, 15, 20, 25;
  - Page 6, lines 2-3, 8-9, 19;

## Exhibit B to the Welch Declaration

- Page 197, lines 1-2, 7;

## Exhibit C to the Welch Declaration

- Page 181, lines 18, 22-25;

## Exhibit D to the Welch Declaration

- Page 97, lines 22-25.

**THE COURT FURTHER ORDERS** the following materials – which were lodged under seal by Defendants – be unsealed and filed publically (subject to the redactions requested by Defendants): Exhibits A, E, and F to the Welch Declaration, Exhibit 1 to the Brown Declaration, and the Motion to Strike.

## **IT IS SO ORDERED.**

Dated:

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LUCY H. KOH  
United States District Judge